

AMENDED IN SENATE AUGUST 15, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 3041

Introduced by Assembly Member Pavley

February 24, 2006

An act to amend Section 22844 of the Government Code, relating to public employees' health benefits.

LEGISLATIVE COUNSEL'S DIGEST

AB 3041, as amended, Pavley. Public employees' health benefits: ~~peace officers prescription drug plans.~~

The Public Employees' Medical and Hospital Care Act requires the Board of Administration of the Public Employees' Retirement System to approve health benefit plans for certain public employees and annuitants, and authorizes the board to contract with carriers offering health benefit plans. The act prohibits ~~employees, annuitants, and family members~~ *an employee, annuitant, or family member* enrolled in a prescription drug plan under Part D of Medicare from enrolling in a board-approved health benefit plan, unless enrolled in an approved Medicare Advantage *health benefit* plan.

~~This bill would allow an individual who is enrolled in a specified health benefit plan offered by the Peace Officers Research Association of California to also enroll in a prescription drug plan under Part D of Medicare.~~

This bill would instead exempt from that prohibition an employee, annuitant, or family member enrolled in a board-approved or offered health benefit plan that provides a prescription drug plan or qualified prescription drug coverage under Part D of Medicare as part of its benefit design.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22844 of the Government Code is
2 amended to read:
3 22844. (a) Employees, annuitants, and family members who
4 become eligible to enroll on or after January 1, 1985, ~~for in Part~~
5 A and Part B of Medicare may not be enrolled in a basic health
6 benefit plan. If the employee, annuitant, or family member is
7 enrolled in Part A and Part B of Medicare, he or she may enroll
8 in a Medicare health benefit plan.
9 (b) Employees, annuitants, and family members enrolled in a
10 prescription drug plan under Part D of Medicare may not be
11 enrolled in a board-approved health benefit plan. This
12 subdivision does not apply to an individual enrolled in ~~a~~
13 ~~board-approved Medicare Advantage health benefit plan offered~~
14 ~~under this part or in a health benefit plan offered by the Peace~~
15 ~~Officers Research Association of California under this part.~~
16 ~~board-approved or offered health benefit plan that provides a~~
17 ~~prescription drug plan or qualified prescription drug coverage~~
18 ~~under Part D of Medicare as part of its benefit design.~~
19 (c) This section does not apply to employees and family
20 members that are specifically excluded from enrollment in a
21 Medicare health benefit plan by federal law or regulation.

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